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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,413	07/22/2003	Robert T. Long SR.	1547520/72600	7602

26386 7590 08/17/2006

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THE FINANCIAL CENTER
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DES MOINES, IA 50309-3993

EXAMINER

CANFIELD, ROBERT

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/624,413

Applicant(s)

LONG, ROBERT T.

Examiner

Robert J. Canfield

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3,5,7 is/are rejected.
7) ☒ Claim(s) 3-6 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. This Office action is in response to the amendment filed 06/09/06. Claims 1-17 remain pending.
2. The replacement sheet filed 06/06/09 is accepted.
3. The disclosure is objected to because of the following informalities:
Reference numeral 22 is still used to designate both a washer (page 6, line 13) and a flange (page 6, line 27).
Appropriate correction is required.
4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The examiner finds no mention of a flange for setting the depth of penetration (claim 5) and the language "pointed end" (claim 6) is not found. Note that page 6; line 15 references the vertex of the conical ends.
5. Claims 3, 5 and 6 are objected to because of the following informalities:
It is unclear which flange or element "the flange" of claim 6 references, it appears that applicant may be referring to element 22 (page 6, line 27) however there is an inconsistency in language between the terms "washer" and "flange",
It is unclear what flange or element the flange of claim 5 is referencing as there is no discussion of a flange for setting a depth, and

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It is unclear what the "pointed end to set a distance from a form to the end" is in claim 6. Page 6, lines 15+ discuss the vertex of the ends 24, 26 for supporting connectors but the language "pointed end" is not used and there is no discussion of setting a distance.

Appropriate correction is required.

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-3, 5, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,829,733 to Long.

Long provides an injection molded sleeve the cross section of which indicates it is a polymer material, the sleeve 23 is over a fiber composite shaft 16, the sleeve has at least one end with locating flange 24 embedded in concrete 36 (Figure 3). Claim 2 fails to provide any structural limitations as best understood the connector of Long can perform the recited function. As to claim 3, flange 24 orients the connector perpendicular to a plastic concrete layer as shown in figure 3. As best understood, elements 18, 19, 21, or 22 can be considered a flange for setting a depth

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,829,733 to Long in view of U.S. Patent 5,673,525 to Keith et al.

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Long provides each of the elements of the claim except that the shaft has a pointed end.

Keith teaches a connector used in the same environment as Long with a pointed end 20 so that holes are not required in the insulating material.

It would have been obvious at the time of the invention to one having ordinary skill in the art to have provided an end of the shaft 16 of Long with a pointed end as taught by Keith at 20 to make the connector of Long self tapping.

9. Claim 4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

10. Applicant's arguments filed 06/09/06 have been fully considered but they are not persuasive.

Applicant argues that Long fails to provide an over-molded component with an embedded end or locating flanges. As noted above, Long provide over-molded component 23 having an clearly shown in figure 3 embedded in concrete. Claim 1 only requires one or more locating flanges. Long provides flange 24.

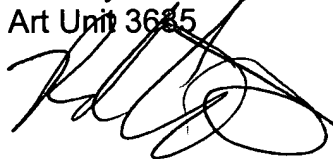
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Canfield whose telephone number is 571-272-6840. The examiner can normally be reached on M-Th.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Naoko Slack can be reached on 571-272-6848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robert J Canfield
Primary Examiner
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A handwritten signature in black ink, appearing to be 'R. Canfield', written over the printed name and title.

08/10/06